

S.B. 1210 (Effective August 29, 1983)

S.B. 1227 (Effective August 29, 1983)

S.B. 1267 (Effective August 29, 1983)

S.B. 1268 (Effective August 29, 1983)

(May 18, 1983)

S.C.R. 6

S.C.R. 103

S.C.R. 97

H.C.R. 8

Filed Without Signature of Governor

S.C.R. 112

S.C.R. 111

S.C.R. 38

Sent to Governor

(May 19, 1983)

S.J.R. 13

S.B. 396

S.B. 578

S.B. 727

S.B. 911

S.B. 969

S.B. 1030

S.B. 1270

SEVENTY-FIRST DAY

(Continued)

(Monday, May 23, 1983)

AFTER RECESS

The Senate met at 10:00 o'clock a.m. and was called to order by Senator Blake.

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Blake submitted the following report for the Committee on Administration:

S.C.R. 125

S.C.R. 126

S.C.R. 113

S.C.R. 115

S.C.R. 116

S.C.R. 123 (Amended)

S.R. 612

H.C.R. 100

H.C.R. 159

H.C.R. 173

H.C.R. 174

H.C.R. 190

RESOLUTIONS ORDERED NOT PRINTED

On motion of Senator Blake and by unanimous consent, the following resolutions were ordered not printed:

S.C.R. 125

S.C.R. 126

S.C.R. 113

S.C.R. 115

S.C.R. 116

S.R. 612

H.C.R. 100

H.C.R. 159

H.C.R. 173

H.C.R. 174

H.C.R. 190

MESSAGE FROM THE HOUSE

House Chamber
May 23, 1983

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 106, Memorializing Congress to halt the practice of federal judges and monitors charging unjustified and excessive fees to oversee operation of prison systems.

H.C.R. 115, Memorializing Congress to enact **S.B. 636**, the proposed Veterans Administration Adjudication Procedure and Judicial Review Act.

H.C.R. 166, Granting Lubbock Poster Company permission to sue the State of Texas and the State Department of Highways and Public Transportation.

H.C.R. 170, Memorializing Congress to enact a national public safety telecommunications policy.

H.C.R. 185, Granting John W. Haney permission to sue the city of College Station.

H.C.R. 213, Requesting the State Board of Insurance to study the various advantages and disadvantages of the various forms of property/casualty ratemaking and policy form implementation.

H.C.R. 220, Commending John G. Morrison, mayor of Katy.

H.C.R. 221, Granting Patricia Coleman, David Cooper, Kevin Cooper, and Dennis Lehman permission to sue the State of Texas and the Parks and Wildlife Department.

H.C.R. 224, Commending Jane Weinert Blumberg.

H.C.R. 226, Congratulating Ned and Betty Lollar on their 40th wedding anniversary.

H.C.R. 231, Congratulating the Pearsall High School Maverick Band.

H.C.R. 233, Granting James L. Sewell permission to sue the State.

H.C.R. 237, Congratulating the city of Midlothian on its 100th anniversary.

H.C.R. 244, In memory of A. B. Morris, former Abilene Christian University coach.

H.C.R. 247, Directing the Texas Commission on Jail Standards to conduct a general survey of the conditions of the municipal jails.

H.C.R. 249, Commending George Washington Arnold.

H.C.R. 250, Granting Big Train Carpets, Inc., permission to sue the State of Texas and the University of Texas System.

H.C.R. 252, Commending Clara W. Bewie.

H.C.R. 253, Granting Mitchell Development Corporation of the Southwest permission to sue the State of Texas and the Texas Parks and Wildlife Department.

H.C.R. 257, Designating October, 1983, as "Crime Stoppers Month".

H.C.R. 260, Congratulating Arthur Rankin on his 26th birthday.

S.C.R. 15, Requesting the Texas Education Agency to emphasize health education, including diabetes, in public schools throughout elementary and secondary grades.

S.C.R. 27, Granting Luther Coulter, Nathan Coulter, Jr., and Evalena Fairbanks permission to sue the State of Texas and the State Department of Highways and Public Transportation.

S.C.R. 77, Granting Howard Daniels, Jr., permission to sue the State of Texas and the Parks and Wildlife Department.

S.C.R. 99, Congratulating the City of San Antonio, its mayor and its organizations.

S.C.R. 108, Congratulating Edwin H. Irons, superintendent of the Lubbock Independent School District, on his retirement.

S.C.R. 110, Recognizing May 12, 1983, as "Bum Phillips Day" in Texas.

H.B. 52, Relating to the attorney general's duty to respond to requests for legal opinions.

H.B. 337, Relating to the assignment of judges by the presiding judges of administrative judicial districts.

H.B. 358, Relating to child abuse investigations.

H.B. 812, Relating to credit in the Employees Retirement System of Texas for certain service as an employee of a judicial district.

H.B. 1080, Relating to the transfer of records in connection with a change of venue of certain probate proceedings.

H.B. 1119, Relating to the jurisdiction of the supreme court and the courts of appeals and the issuance of the writ of mandamus by the courts of appeals or the justices.

H.B. 1142, Relating to the regulation and licensing of persons engaged in the business of structural pest control.

H.B. 1183, Relating to the jurisdiction of the County Court of Cass County.

H.B. 1241, Relating to parking privileges for disabled persons in vehicles registered in other states.

H.B. 1273, Relating to substantive revision of the law governing licensing of drivers.

H.B. 1289, Relating to the imposition of fees and terms of probation on certain defendants.

H.B. 1370, Relating to the filing and docketing of certain suits for adoption.

H.B. 1470, Relating to the transfer of certain cases from the district courts to the county courts at law in Dallas County.

H.B. 1562, Relating to nonpartisan elections in home-rule cities.

H.B. 1613, Relating to taxation of agri-business items.

H.B. 1643, Relating to the disposition of obscene devices and material.

H.B. 1644, Relating to parties agreeing to a trial by a special judge for district court civil cases.

H.B. 1651, Relating to transactions involving business machines.

H.B. 1702, Relating to the composition and meetings of the board of trustees of the Teacher Retirement System of Texas.

H.B. 1753, Relating to administration of medications in convalescent homes, nursing homes, and other related institutions; establishing fees for the issuance and renewal of permits to administer medications.

H.B. 1773, Relating to water and sewer utility service affecting certain major urban areas.

H.B. 1863, Relating to the coverage of certain persons under the State employee insurance plan.

H.B. 2094, Relating to postsecondary educational entrance examinations for handicapped persons.

H.B. 2128, Relating to payments by certain municipally owned utilities.

H.B. 2129, Relating to the authority of the District Judge of the 297th Judicial District of Texas.

H.B. 2157, Relating to reduced motor vehicle registration fees for vehicles transporting soil conservation machinery.

H.B. 2174, Relating to the participation of certain college and university employees in health maintenance organizations.

H.B. 2181, Relating to the creation of the Legal Excellence Fund in the state treasury for the purpose of accepting gifts, grants, and donations from private sources to attain legal excellence in the office of the attorney general.

H.B. 2237, Relating to the expunction of the records of an indictment or information.

H.B. 2249, Authorizing Commissioners Court in counties of 500,000 or more to provide job care facilities to benefit the employees of said counties, to provide for a fee to be charged for use of such facilities.

H.B. 2258, Relating to recovery of actual costs and attorney's fees by the attorney general in a charitable trust suit and to the venue of a charitable trust suit.

H.B. 2259, Relating to fees to which the attorney general is entitled.

H.B. 2289, Relating to pilot programs for postsecondary-level students with learning disabilities.

H.B. 2294, Relating to the terms and jurisdiction of County Court at Law No. 1 of Lubbock County and County Court at Law No. 2 of Lubbock County.

H.B. 2295, Relating to the composition of the Henderson County juvenile board, the compensation of the members of that board, and prosecution of juvenile cases in Henderson County.

H.B. 2299, Relating to legislative findings, boundaries, creation, administration, powers, duties, elections, issuance of bonds, levy and collection of taxes and finances for the Dickinson Bayou Watershed Drainage District.

H.B. 2310, Relating to compensation of the district judges in Bexar County.

H.B. 2337, Relating to the creation, administration, powers, duties, operation, and financing of the Mason County Hospital District.

H.B. 2338, Relating to the creation, administration, powers, duties, operation, and financing of the Sutton County Hospital District.

H.B. 2350, Relating to the election of directors of the Community Hospital District of Brazoria County.

H.B. 2354, Relating to the creation, administration, powers, duties, operation, and financing of the Teague Hospital District.

H.B. 2363, Relating to the regulation of certain persons who contract with the state.

H.B. 2364, Relating to the creation of the County Court at Law of Williamson County.

H.B. 2385, Relating to the jurisdiction of the County Court at Law of Harrison County.

H.B. 2390, Relating to fees for child support collections in Collin County.

H.B. 2391, Relating to the reorganization, boundaries, administration, powers, duties, and financing of Irving Flood Control District Section III and validating certain actions of and matters relating to that district.

H.B. 2393, Relating to abolition of the office of county auditor in Llano County.

H.B. 2401, Relating to creation of the Harris County Municipal Utility District No. 233.

H.B. 2404, Relating to establishment of a juvenile board in Shackelford County.

H.B. 2406, Relating to the establishment and powers of a juvenile board in the 46th Judicial District, composed of Wilbarger, Foard, and Hardeman counties.

H.B. 2407, Relating to the establishment and powers of a juvenile board in the 50th Judicial District, composed of Baylor, Cottle, King, and Knox counties.

H.B. 2409, Relating to establishment of a juvenile board in Lynn County.

H.B. 2410, Relating to establishment of a juvenile board in Jones County.

H.B. 2411, Relating to establishment of a juvenile board in Garza County.

H.B. 2412, Relating to the juvenile boards in the 12th Judicial District.

H.B. 2414, Relating to the creation of a seawall commission in Matagorda County.

H.B. 2425, Relating to the reorganization, boundaries, administration, powers, duties, and financing of Dallas County Municipal Utility District No. 2, the change of name of that district to Dallas County Flood Control District No. 1.

H.B. 2432, Relating to establishment of a juvenile board in Camp, Marion, Morris, and Titus counties.

H.B. 2433, Relating to the civil jurisdiction of the County Court at Law of Hidalgo County and the County Court at Law No. 2 of Hidalgo County.

H.B. 2435, Relating to the composition and compensation of the Randall County Juvenile Board.

H.B. 2439, Relating to certain contracts executed by and the qualifications for membership on the board of directors of Val Verde County Hospital District.

H.B. 2440, Relating to the creation of a juvenile board in Starr County.

H.B. 2441, Relating to establishment of a juvenile board in Throckmorton County.

H.B. 2443, Relating to the establishment of the Bexar County Child Support Services Department and to the collection of certain fees.

H.B. 2445, Relating to the creation of the County Court of Jefferson County at Law No. 4.

S.B. 82, Relating to a requirement that a dental hygienist receive training in cardiopulmonary resuscitation except under certain circumstances; absolving a dental hygienist from liability except in certain situations.

S.B. 133, Relating to membership of legislators on certain legislative committees, boards, or councils.

S.B. 148, Relating to a revision of the laws concerning county roads and bridges.

S.B. 156, Relating to certain powers and duties of the board of regents of North Texas State University.

S.B. 242, Relating to the conveyance to the city of Austin of the state's right of reverter or reversion in certain real property.

S.B. 311, Relating to benefits under a compromise settlement agreement or provided in an agreed judgment approved by the court; providing procedures for handling a dispute and a limitation period for payment of benefits.

S.B. 318, Relating to the correction of errors in the Business and Commerce Code. (With amendment)

S.B. 336, Relating to the students served, the taxes allocated and levied, and the educational and training programs conducted by a rehabilitation school district. (With amendment)

S.B. 350, Relating to the method of payment of benefits under certain insurance coverage. (As substituted)

S.B. 377, Relating to the personnel and administrative staff of the Texas Department of Mental Health and Mental Retardation and to the designation of

facilities operated by the Texas Department of Mental Health and Mental Retardation. (With amendment)

S.B. 407, Relating to the retention of certain sheltered workshop operating funds by the Texas Department of Mental Health and Mental Retardation in trust for the benefit of the participants in such workshops.

S.B. 428, Relating to the rights, powers and duties of the board of the Texas State University System; providing for disposition and use of funds. (With amendment)

S.B. 512, Relating to the designation of campaign treasurers and assistant campaign treasurers and to the activities, powers, duties, and liability of assistant campaign treasurers.

S.B. 547, Relating to the administration of oaths and taking of acknowledgments by the county assessor-collector or employees of that office relating to certain documents.

S.B. 563, Relating to the authority of courts in certain counties to participate in the supervision and administration of probation offices.

S.B. 653, Relating to the licensing and regulation of chiropractors and their employees.

S.B. 669, Relating to juvenile court orders affecting parents and others, including juvenile restitution, and to liability of cities, towns, and counties for certain causes of action that arise from juvenile restitution programs. (As substituted)

S.B. 718, Relating to regulation of real estate brokers and salesmen, to source of funds for administration of the Residential Service Company Act, to payment from the Real Estate Recovery Fund, and to fees to be charged and collected. (With Amendment)

S.B. 728, Relating to authority of the Board of Regents of the Texas A&M University System to accept and administer donations of property for the use of The Texas A&M University System or any of its component parts.

S.B. 738, Relating to the application requirement for property tax exemptions for disabled veterans and the survivors of certain veterans.

S.B. 765, Relating to regulation of motor vehicle equipment by the Department of Public Safety, to certain powers and duties of the Department of Public Safety and to procedures for hearings and injunctions.

S.B. 835, Relating to the regulations of circuses, carnivals, and zoos. (With amendment)

S.B. 843, Relating to the application of certain vehicle and traffic laws to bicycles and bicyclists.

S.B. 856, Relating to the maximum punishment for violation of municipal ordinances or rules or police regulations and to criminal jurisdiction of municipal courts.

S.B. 872, Relating to the authorization under the Uniform Reciprocal Enforcement of Support Act for a court to order a deduction from certain child support payments for the payment of certain court costs.

S.B. 878, Relating to protective orders under Title 4, Family Code. (With amendment)

S.B. 892, Relating to security personnel of the Texas Tech University Health Sciences Center and to their jurisdiction and compensation.

S.B. 901, Relating to regulation of the fitting and dispensing of hearing aids.

S.B. 906, Relating to mutual assistance among cities and counties in the provision of emergency medical services.

S.B. 963, Relating to the reorganization of the Dallas County Municipal Utility District No. 1 and its continuation as a district; to a change of the name of the district to Dallas County Utility and Reclamation District.

S.B. 975, Relating to the exemption of implements of husbandry from ad valorem taxation.

S.B. 1006, Relating to coverage of state employees working outside of the state. (As substituted)

S.B. 1025, Relating to abandoned motor vehicles, including certain motorboats, outboard motors, or vessels.

S.B. 1033, Relating to the authority of a county commissioners court to regulate the keeping of certain wild animals.

S.B. 1047, Relating to the collection of fees by the Texas Department of Health for public health services, to creation of a special fee fund, to certain powers and duties of the Department of Health and Board of Health, and to subrogation rights.

S.B. 1137, Relating to certain admissions of unadjudicated offenses during sentencing for a criminal conviction.

S.B. 1143, Relating to the inclusion of land previously appraised as agricultural or open-space land as part of a residence homestead for property tax purposes.

S.B. 1190, Relating to notice of lawsuit in which the State of Texas or any State agency is a party and notice of intent to take default judgments against the State of Texas or any State agency. (As substituted)

S.B. 1192, Relating to establishment, membership, staff, powers and duties, and compensation of a juvenile board for the 132nd Judicial District.

S.B. 1194, Relating to establishment, membership, staff, powers and duties, financing, and compensation of a juvenile board in Jones County.

S.B. 1217, Relating to the establishment, membership, personnel, powers and duties, and administration of a juvenile board in Denton County.

S.B. 1245, Relating to the conduct and financing of governor for a day and speaker's day ceremonies.

S.B. 1261, Relating to the election and terms of office of the members of the board of supervisors of the Willacy County Drainage District No. 1. (As substituted)

S.B. 1278, Relating to establishment and operation of a Texas Mental Health Code Public Information Program and to certain powers and duties of the Texas Department of Mental Health and Mental Retardation. (With amendment)

S.B. 1282, Providing for a co-presiding judge for courts having jurisdiction over criminal matters in certain counties to act in the absence or disability of the regular presiding judge.

S.B. 1291, Relating to appointment, qualifications, compensation, termination, powers, duties, and immunity of masters for certain courts in Travis County and to de novo hearings before the judge of the referring court.

S.B. 1292, Relating to the creation, administration, directors, powers, duties, operation, and financing of the Foard County Hospital District.

S.B. 1312, Relating to municipal courts of record in El Paso and creation of the El Paso Municipal Court of Appeals.

S.B. 1345, Relating to calculation of an ad valorem tax rate when an error in the preceding year caused the loss of a substantial amount of tax revenue.

S.B. 1358, Relating to the financing of and the creation, governing body, operation, rights, powers, authority, and financing of subdistricts within certain metropolitan water control and improvement districts.

S.B. 1359, Relating to the creation and functions of domestic relations offices in counties having a population in excess of 2,000,000, to powers and duties of the of the county commissioners court and of the chief administrative officer, and to fees.

S.B. 1381, Relating to the creation, directors, administration, powers, duties, and financing of the Broussard Sewage District. (With amendment)

S.B. 1382, Relating to the creation, directors, administration, powers, duties and financing of the Fannett Sewage District. (With amendment)

S.B. 1383, Relating to creation, administration, powers, duties, and financing of the Hillebrandt Sewage District. (With amendment)

S.B. 1384, Relating to the creation, administration, powers, duties, and financing of the North Cheek Sewage District. (With amendment)

S.B. 1385, Relating to the creation, directors, administration, powers, duties, and financing of the South Cheek Sewage District. (With amendment)

S.B. 1386, Relating to the creation, administration, powers, duties, and financing of the North LaBelle Sewage District. (With amendment)

S.B. 1387, Relating to the creation, administration, powers, duties, and financing of the South LaBelle Sewage District. (With amendment)

S.B. 1402, Relating to the boundaries of the Livingston Hospital District of Polk County, Texas, and validating the district and certain actions, proceedings, and elections of that district.

C.S.S.B. 567, Relating to the rates of State and member contributions to the Teacher Retirement System of Texas. (With amendments)

S.B. 106, Relating to the continuation of the State Securities Board and to the membership, qualifications, powers and duties, and administration of the board and the duties of the Securities Commissioner. (With amendments)

The House has concurred in Senate amendments to **H.B. 972** by a non-record vote.

The House has concurred in Senate amendments to **H.B. 1849** by a non-record vote.

All necessary rules suspended, and the House concurred in Senate amendments to **H.J.R. 1** by a record vote of 141 Ayes, 2 Noes, and 1 Present-not voting.

All necessary rules suspended, and the House concurred in Senate amendments to **H.B. 2** by a record vote of 138 Ayes, 1 Noes, and 1 Present-not voting.

The House has concurred in Senate amendments to **H.B. 1619** by a non-record vote.

The House has concurred in Senate amendments to **H.C.R. 149** by a non-record vote.

The House has concurred in Senate amendments to **H.B. 1618** by a non-record vote.

The House has granted the request of the Senate for the appointment of a Conference Committee on **S.B. 565**. House Conferees: Polk, Chairman; Thompson of Harris, Anita Hill of Dallas, Barton of Harris, Emmett.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Blake in Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar.

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended on the bills and resolutions on the Local and Uncontested Bills Calendar so they could be considered on second reading in the order they are listed on the Calendar.

After suspending the regular order by unanimous consent, the following bills were laid before the Senate, read second time, amended where applicable, passed to engrossment/third reading, read third time and passed: (Sponsor, vote on Constitutional Three-Day Rule and final passage indicated after caption of each bill)

S.B. 4 (Doggett) Relating to date on which the terms of office expire for members of the Boards of Regents of The University of Texas System, The Texas A&M University System and The Texas State University System. (30-1) Washington "Nay" (31-0)

S.B. 736 (Henderson) Relating to certain specifications for qualifying for premium reductions under homeowners insurance. (30-1) Washington "Nay" (31-0)

C.S.S.B. 1081 (Caperton) Repealing Chapter 447, Acts of the 56th Legislature, Regular Session, 1959. (30-1) Washington "Nay" (31-0)

S.B. 1134 (Henderson) Relating to motor vehicle insurance and motor vehicle theft reporting. (30-1) Washington "Nay" (31-0)

S.B. 1347 (Parmer) Relating to treatment of animals in boarding or riding stables. (30-1) Washington "Nay" (31-0)

Senator Parmer offered the following committee amendment to the bill:

Amend **S.B. 1347** by deleting all of subsection (5) of Section 1, and adding in lieu thereof the following:

(5) "Boarding stable" means an establishment, other than the premises owned or leased by a veterinarian licensed to practice in this state, whose owner

or operator receives a fee or fees for the boarding of more than four (4) equine animals."

The committee amendment was read and was adopted.

On motion of Senator Parmer and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

S.B. 1375 (Parker) Relating to the establishment and powers of a juvenile board in Chambers County. (30-1) Washington "Nay" (31-0)

S.B. 1391 (Brooks) Relating to the administration of medications in convalescent homes, nursing homes and other related institutions. (30-1) Washington "Nay" (31-0)

S.B. 1406 (Uribe) Relating to the authority of the Commissioners Court of Cameron County to establish and operate a water supply or sewage system. (30-1) Washington "Nay" (31-0)

S.B. 1408 (Truan) Relating to allowing an incorporated city or town or other political subdivision of the State to issue a permit to a nonprofit organization for the construction of apartment houses for the low-income elderly without requiring individual metering or submetering. (30-1) Washington "Nay" (31-0)

Senator Truan offered the following committee amendment to the bill:

Amend **S.B. 1408** on page 2 by striking lines 3 through 5 and substituting the following: tenants.

The committee amendment was read and was adopted.

On motion of Senator Truan and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

C.S.S.B. 1425 (Brown) Relating to the amendment of a condominium declaration and the authority of a condominium association to alter or destroy a unit or a limited common element. (30-1) Washington "Nay" (31-0)

S.R. 532 (Parker) Relating to improving productivity of existing artificial reefs, and creating additional artificial fishing reefs to enhance fishery resources and provide needed additional fishing opportunities. (vv)

S.R. 612 (Washington) Urging the Texas Historical Commission to designate Houston's Fourth Ward as a historical area. (vv)

S.C.R. 57 (Mauzy) Recommending that the Department of Highways and Public Transportation and the Sesquicentennial Commission study the design and the issuance of sesquicentennial license plates. (vv)

S.C.R. 113 (Uribe) Directing Houston Metropolitan Transit Authority to purchase buses manufactured in this State. (vv)

S.C.R. 115 (Santiesteban) Granting L. Moody Bennett permission to sue the State of Texas. (vv)

S.C.R. 116 (Brooks) Granting Mitchell Development Corporation of the Southwest permission to sue the State of Texas. (vv)

S.C.R. 123 (Blake) Authorizing the Lieutenant Governor and Speaker to appoint joint committees during the interim. (vv)

Senator Blake offered the following committee amendment to the resolution:

Amend **S.C.R. 123**, page 2, by deleting lines 11 and 12, and substituting the following language:

RESOLVED, That each committee be authorized to employ staff to assist in the conduct of its study and be authorized to enter into agreements with any corporation, organization, or person engaged in governmental research, provided that the employment of staff and any agreements with any corporation, organization, or person shall be approved by the presiding officers of the senate and the house of representatives; and, be it further

The committee amendment was read and was adopted.

Senator Blake offered the following committee amendment to the resolution:

On page 2, line 23 strike the word equally

The committee amendment was read and was adopted.

On motion of Senator Blake and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

S.C.R. 125 (Uribe) Granting Ramon Murillo, Jr., and Graciela Murillo, individually and on behalf of their deceased infant child, Jose Murillo, and his estate, permission to sue the State of Texas. (vv)

S.C.R. 126 (Brown) Directing the Public Utility Commission of Texas to study alternatives for resolving problems resulting from triplicate telephone service in certain municipalities. (vv)

H.B. 79 (Sharp) Relating to the frequency with which employers must pay wages. (30-1) Washington "Nay" (31-0)

H.B. 100 (Edwards) Relating to courses held by a community college in facilities of a school district located outside the community college district. (30-1) Washington "Nay" (31-0)

H.B. 101 (Edwards) Relating to Coordinating Board approval of junior college construction financed with funds from a source other than the State and to use of student fees for junior college construction. (30-1) Washington "Nay" (31-0)

H.B. 229 (Washington) Relating to paternity on birth certificates. (30-1) Washington "Nay" (31-0)

H.B. 359 (Uribe) Relating to the compensation of the judges of the district courts of Hidalgo County. (30-1) Washington "Nay" (31-0)

H.B. 399 (Sarpalius) Relating to the name and terms of office for directors of the Ground Water Conservation District Number Two, North of the Canadian River. (30-1) Washington "Nay" (31-0)

H.B. 423 (Doggett) Relating to recovery of collection expenses for furnishing labor and materials, and to recovery of attorneys' fees and other expenses of defending invalid claims for furnishing labor and materials. (30-1) Washington "Nay" (31-0)

C.S.H.B. 501 (Whitmire) Relating to landowner consent for hunting or engaging in target shooting in certain counties. (30-1) Washington "Nay" (31-0)

H.B. 524 (Sarpalius) Relating to the rulemaking procedures of the Department of Agriculture and the Texas Animal Health Commission. (30-1) Washington "Nay" (31-0)

Senator Sarpalius offered the following committee amendment to the bill:

Amend **H.B. 524** as follows:

1. By adding Section 5, which amends Section 12.006, Chapter 12, Agriculture Code, by adding Subsection 12.006(b) to read as follows:

Section 12.006. Development of Domestic and Foreign Markets

(A.) The department shall investigate and report on the question of broadening the market and increasing the demand for cotton goods and all other agricultural or horticultural products in the United States and foreign countries. The department shall compile information beneficial to farmers, including information pertaining to:

(1) the number of bales of cotton consumed by spinners in foreign countries;

(2) the demand for cotton produced in Texas;

(3) the methods and course of sales to foreign countries, showing the purchasers, brokers, and others who handle the cotton after it leaves the producers; and

(4) countries with which trade could be increased, thereby creating a better outlet for trade and the best method for bringing consumer and purchaser together.

(B.) The department may cooperate with or participate in any public or private corporation or association whose purpose is to enhance the marketing or exportation of Texas agricultural products.

2. By making the emergency provision Section 6 of the Bill.

The committee amendment was read and was adopted.

On motion of Senator Sarpalius and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 555 (McFarland) Relating to the location of annexation hearings conducted by a city. (30-1) Washington "Nay" (31-0)

Senator Brown offered the following amendment to the bill:

Amend **H.B. 555** by striking line 14 and substituting the following:

within the area proposed to be annexed if, within ten (10) days after the publication of the notice required herein, more than twenty (20)

The amendment was read and was adopted.

On motion of Senator McFarland and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 644 (Brown) Relating to the authority of school districts to put records and reports on microfilm. (30-1) Washington "Nay" (31-0)

H.B. 669 (Sarpalius) Relating to the agricultural cooperatives. (30-1) Washington "Nay" (31-0)

H.B. 706 (Traeger) Relating to the issuance of daily temporary mixed beverage permits. (30-1) Washington "Nay" (31-0)

H.B. 713 (Brown) Relating to the authority of a county to pay certain expenses incurred by another county for the extension of a farm-to-market road. (30-1) Washington "Nay" (31-0)

H.B. 723 (Parker) Relating to the basic skills assessment instrument required in public schools. (30-1) Washington "Nay" (31-0)

H.B. 729 (Lyon) Relating to the limitations period for filing an application for compensation under the Crime Victims Compensation Act. (30-1) Washington "Nay" (31-0)

H.B. 741 (Brown) Relating to the deadline for filing an application for a place on a primary election ballot. (30-1) Washington "Nay" (31-0)

Senator Brown offered the following amendment to the bill:

Amend **H.B. 741** on page 1 by inserting Subsection (h) after "accepted." and amending it as follows:

(h) Within ten days after the first Monday in February, the state chairman shall file with the Secretary of State, and each county chairman shall file with the county clerk of his county and Secretary of State a list containing the names of all candidates, as the names are to appear on the primary election ballot, arranged by office for which nomination is sought, whose applications have been timely received and the candidates' addresses, as entered on the applications. In like manner each chairman shall file, within three days after any extended filing deadline under Subsection (d) of this section, a supplemental list of candidates whose applications were timely received after the original list was prepared. Each county chairman shall forward to the chairman of the state executive committee a copy of each list which he files with the county clerk.

The amendment was read and was adopted.

On motion of Senator Brown and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 747 (Sims) Relating to application of the offense of disorderly conduct to looking into a room in a hotel or similar establishment for a lewd or unlawful purpose. (30-1) Washington "Nay" (31-0)

H.B. 861 (Farabee) Relating to the authority of the court to impose on a defendant a requirement that the defendant participate in a community-service project as a term of probation. (30-1) Washington "Nay" (31-0)

H.B. 867 (Henderson) Relating to payment of certain benefits to family and dependents of a deceased insured under group accident and health insurance. (30-1) Washington "Nay" (31-0)

H.B. 877 (Brown) Relating to the requirements for holding a wine and beer retailer's permit and a retail dealer's on-premise license and to consumption of liquor or beer on the premises of a holder of a wine and beer retailer's off-premise permit or a retail dealer's off-premise license. (30-1) Washington "Nay" (31-0)

H.B. 957 (Caperton) Relating to the publication of the names of a political party's nominees for the general election. (30-1) Washington "Nay" (31-0)

H.B. 1006 (McFarland) Relating to election contests for the offices of State senator and State representative. (30-1) Washington "Nay" (31-0)

H.B. 1068 (Caperton) Relating to continuing legal education for the judges and personnel of the municipal courts. (30-1) Washington "Nay" (31-0)

H.B. 1141 (McFarland) Relating to the holding of joint elections by certain political subdivisions on the first Saturday in April. (30-1) Washington "Nay" (31-0)

Senator Mauzy offered the following amendment to the bill:

Amend **SECTION 1** of **H.B. 1141** by striking subsection (d) and relettering subsection (e) as subsection (d)

The amendment was read and was adopted.

On motion of Senator McFarland and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 1212 (Caperton) Relating to continuing legal education and training for certain judges. (30-1) Washington "Nay" (31-0)

Senator Caperton offered the following committee amendment to the bill:

Amend Subsection (b) of Section 1 of **H.B. 1212** by adding the following additional language:

Provided, however, and subject to rules adopted by the Supreme Court, no such judge shall be required to fulfill the requirement of this subsection unless payment or reimbursement for payment of expenses reasonably incurred by such judges are provided.

The committee amendment was read and was adopted.

On motion of Senator Caperton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 1245 (Howard) Relating to the purchase by The Texas A&M University System of certain land in Harrison County for use by the Texas Forest Service. (30-1) Washington "Nay" (31-0)

H.B. 1250 (Parker) Relating to the election, terms of office and compensation of directors of the Orange County Drainage District of Orange County. (30-1) Washington "Nay" (31-0)

H.B. 1308 (Sharp) Relating to the reporting of the movement of a mobile home for purposes of property tax records. (30-1) Washington "Nay" (31-0)

H.B. 1336 (Brown) Relating to the attendance of children enrolled in public school kindergarten. (30-1) Washington "Nay" (31-0)

H.B. 1361 (Whitmire) Relating to changing certain alcoholic beverage on-premise permits or licenses to off-premise permits or licenses. (29-2) Blake, Washington "Nay" (30-1) Blake "Nay"

H.B. 1480 (Henderson) Relating to the requirement that a housing authority conduct a public hearing before obtaining any governmental permits for a housing project. (30-1) Washington "Nay" (31-0)

H.B. 1507 (Brooks) Relating to the requirement that a municipal court juror live within the municipality in which the court is established. (30-1) Washington "Nay" (31-0)

H.B. 1518 (Sharp) Relating to the transfer of prisoners between jails and other facilities for the purpose of reducing jail overcrowding. (30-1) Washington "Nay" (31-0)

H.B. 1599 (Truan) Relating to screening and treatment of newborn infants for certain heritable diseases. (30-1) Washington "Nay" (31-0)

H.B. 1601 (Henderson) Relating to length requirements of certain vehicles operated on public highways. (30-1) Washington "Nay" (31-0)

H.B. 1602 (Henderson) Relating to width requirements of certain vehicles operated on public highways. (30-1) Washington "Nay" (31-0)

H.B. 1650 (Glasgow) Relating to transactions involving crafted precious metal. (30-1) Washington "Nay" (31-0)

H.B. 1685 (Brown) Relating to regulation of food, drug, health device and cosmetic salvage brokers and establishments. (30-1) Washington "Nay" (31-0)

H.B. 1706 (Truan) Relating to rehabilitation services for crippled children. (30-1) Washington "Nay" (31-0)

H.B. 1707 (Sharp) Relating to the terms of court in the 24th Judicial District. (30-1) Washington "Nay" (31-0)

H.B. 1741 (Whitmire) Relating to advertising regulations under the Private Investigators and Private Security Agencies Act. (30-1) Washington "Nay" (31-0)

H.B. 1748 (Brooks) Relating to the clarification of taxable situs rules regarding movable tangible personal property that is used in interstate, international and foreign commerce. (30-1) Washington "Nay" (31-0)

H.B. 1778 (Sharp) Relating to fees for motor vehicle dealers and providing for bonds for certain motor vehicle dealers. (30-1) Washington "Nay" (31-0)

H.B. 1838 (Brown) Relating to the validation of the incorporation of certain municipalities. (30-1) Washington "Nay" (31-0)

H.B. 1845 (Brown) Relating to the duration of a city contract concerning solid waste management. (30-1) Washington "Nay" (31-0)

H.B. 1883 (Mauzy) Relating to reimbursement of expenses in connection with certain probate proceedings. (30-1) Washington "Nay" (31-0)

H.B. 1884 (Mauzy) Relating to certain proceedings under the Texas Probate Code. (30-1) Washington "Nay" (31-0)

H.B. 1981 (Whitmire) Relating to the application of the Private Investigators and Private Security Agencies to expert witnesses. (30-1) Washington "Nay" (31-0)

H.B. 2005 (Sims) Relating to the regulation of disposal pits used to store or evaporate oil field brines. (30-1) Washington "Nay" (31-0)

Senator Sims offered the following committee amendment to the bill:

Amend **H.B. 2005**, as engrossed by renumbering Sec. 91.453(c) as Sec. 91.453(d) and adding a new Sec. 91.453(c) to read as follows:

(c) In cases where it may be conclusively shown that use of a saltwater disposal pit can cause no pollution of surrounding productive agricultural land and no pollution of ground or surface water supplies, either because of the absence of such waters, or due to physical isolation of such waters by naturally occurring impervious barriers, the commission or its designated employee may administratively authorize a person to use a saltwater disposal pit.

The committee amendment was read and was adopted.

On motion of Senator Sims and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

H.B. 2083 (Sims) Relating to deferred suspension of certain licenses issued by the Department of Agriculture. (30-1) Washington "Nay" (31-0)

H.B. 2106 (Mauzy) Relating to the Second Injury Fund. (30-1) Washington "Nay" (31-0)

H.B. 2119 (Caperton) Relating to the marking of roads that follow historical routes. (30-1) Washington "Nay" (31-0)

H.B. 2135 (Sims) Relating to the responsibilities of landowners in plugging and replugging abandoned oil and gas wells. (30-1) Washington "Nay" (31-0)

H.B. 2228 (Sharp) Relating to the power of the board of aldermen of a town or village to codify its ordinances. (30-1) Washington "Nay" (31-0)

H.B. 2245 (Caperton) Relating to entry of certain orders and reports in the records of the Courts of Appeal. (30-1) Washington "Nay" (31-0)

C.S.H.B. 2271 (Truan) Relating to coordination of activities of State agencies related to health care. (30-1) Washington "Nay" (31-0)

H.B. 2292 (Sarpalius) Relating to terms of office of directors of the Panhandle Ground Water Conservation District No. 3, South of the Canadian River in Texas. (30-1) Washington "Nay" (31-0)

H.B. 2305 (Sharp) Relating to the assessment and collection of taxes by the Lavaca-Navidad River Authority. (30-1) Washington "Nay" (31-0)

H.B. 2313 (Farabee) Relating to establishment of a juvenile board in Denton County. (30-1) Washington "Nay" (31-0)

H.B. 2335 (Sharp) Relating to the directors of the Port O'Connor Municipal Utility District. (30-1) Washington "Nay" (31-0)

H.B. 2343 (Brooks) Relating to the appointment of directors of the Galveston County Water Authority. (30-1) Washington "Nay" (31-0)

H.B. 2365 (Sharp) Relating to the establishment of a juvenile board in Williamson County. (30-1) Washington "Nay" (31-0)

H.C.R. 100 (Henderson) Granting Mrs. Warthell Brown permission to sue the State of Texas. (vv)

H.C.R. 141 (Sarpalius) Memorializing Congress to enact **H.B. 1190** relating to deferral of Farmers Home Administration loan payments. (vv) Parker "Nay"

H.C.R. 159 (Truan) Granting Speedman Oil Company permission to sue the State of Texas. (vv)

H.C.R. 190 (Blake) Accepting a plaque from the Dogwood Trails Board for placement on the Capitol grounds. (vv)

C.S.H.C.R. 197 (Brown) Calling on the Houston Metropolitan Transit Authority to submit to a State audit. (vv)

H.C.R. 173 (Kothmann) Granting Gloria Garcia permission to sue the State of Texas. (vv)

H.C.R. 174 (Kothmann) Granting Hector Galvan permission to sue the State of Texas. (vv)

BILLS REMOVED FROM LOCAL AND UNCONTESTED BILLS CALENDAR

The following bills were removed from the Local and Uncontested Bills Calendar:

Bill Number	Senators Objecting
C.S.S.B. 755	Blake, Brown
H.B. 827	Howard, Blake
H.B. 1038	Mauzy, Blake
H.B. 1279	Howard, Blake
H.B. 1475	Blake, Brown
H.B. 1708	Mauzy, Blake

H.B. 1731	Howard, Blake
H.B. 1954	Howard, Blake
H.B. 2102	Doggett, Blake
H.B. 2196	Howard, Blake

CONCLUSION OF SESSION FOR LOCAL AND UNCONTESTED BILLS CALENDAR

The Presiding Officer (Senator Blake in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

ADJOURNMENT

On motion of Senator Mauzy, the Senate at 10:58 o'clock a.m. adjourned until 11:00 o'clock a.m. today.

SEVENTY-SECOND DAY (Monday, May 23, 1983)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

Absent-excused: Glasgow.

A quorum was announced present.

The Reverend Jeffrey H. Walker, Palmer Memorial Episcopal Church, Houston, offered the invocation as follows:

Oh, God, the fountain of wisdom whose will is good and gracious and whose law is truth, we beseech You so to guide the legislature of this State that they may enact such laws as shall please You. Direct in our time, we pray, those who speak where many listen that they may do their part in making the heart of this people wise, its mind sound, and its will righteous. Deliver those who share in the government of our State from the service of self alone. Make them responsive to the needs of our people that they may do the work You have given them to do for the common good. We remember before You this day those who suffer want and anxiety from lack of work. Guide the people of this State so to use our private and public wealth, that all may find suitable and fulfilling employment and receive just payment for their labor. Give us all a reverence for the earth as Your creation, that we may use its resources rightly in the service of others and to Your honor and glory.

Finally, we beseech You to comfort and heal all those who suffer as victims of the recent storms which have damaged our State and the lives of our people. Give those who suffer courage and hope in their troubles, that they may be relieved, sheltered, and protected, for Yours is the Kingdom; Yours is the Power, Yours is the Glory, now and forever, Amen.

On motion of Senator Mauzy and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 19, 1983, was dispensed with and the Journal was approved.